



Seattle
City Attorney's Office

Peter S. Holmes, City Attorney

September 17, 2019

David Perez
Partner, Perkins Coie LLP
1201 Third Avenue
Suite 4900
Seattle, WA 98101

Dear David,

I appreciated the opportunity to sit with you and Michelle Chen on Friday, September 6, to discuss the concerns you raised in your August 12, 2019, letter to the Mayor's Office. I'm always happy to facilitate a dialogue and appreciate your willingness to engage. This letter attempts to recap takeaways from our conversation.

First, I believe we've all reached a mutual understanding that communications between the Mayor and the Mayor's Office with CPC Commissioners and staff did not violate RPC 4.2.

You did request that any future communications by the Mayor's Office about current or future Consent Decree issues be addressed to you rather than the CPC's Interim Executive Director, Bessie Scott, or the CPC's Co-Chairs. Out of respect for your role as the CPC's legal counsel, Michelle, as Legal Counsel to the Office of the Mayor, was happy to agree to this. Both you and Michelle are comfortable with the Mayor's Office continuing its routine communications with the CPC and its Commissioners on other policing issues such as officer wellness.

Michelle conveyed disappointment that a letter addressed to the Mayor regarding the CPC's legal position was received by the media before it was provided to any City officials. I understand from subsequent conversations following the letter's delivery that CPC co-chair Isaac Ruiz apologized and followed up with a suggestion to discuss how we can develop protocols for better communication and "ensure this doesn't happen again." Thank you for your commitment to help improve communications between the Mayor's Office and the CPC.

In addition, you requested the production of all documents and communications relating to communications and meetings between CPC staff or Commissioners and the Mayor's Office. I enclose responsive records for the date range you requested (May 1 – August 12, 2019), which were collected and prepared by the Mayor's Office. Thank you for your patience while the records were being compiled. This response also includes records regarding communication with Commissioners that is not related to CPC matters.

With respect to your concern that the Mayor's Office solicited or received privileged information discussed in Executive Session on August 7, 2019 from CPC Commissioners, based upon my review of all the provided correspondence between the Mayor's Office and the CPC, I can identify no such evidence that this occurred. If you have any additional background or documentation regarding your assertion, I'd be glad to review it.

Further, I've seen no documentation in the records provided that supports your concern regarding interference and retaliation against the CPC. The provided records demonstrate that the Mayor's Office does routinely communicate with the CPC on a variety of matters and issues. I understand the Mayor's Office, particularly the External Relations team, frequently works with Commissioners on issues not related to the CPC or the Consent Decree. Given that Commissioners are also leaders in their communities, the records demonstrate that Mayor's Office has relationships with commissioners for input on a wide range of policy and community engagement issues, including neighborhood public safety, affordable housing and homelessness, and issues impacting their communities. Again, if you have any additional information about any of the concerns expressed in your August 12 letter, I'd welcome hearing from you.

My primary takeaway from our September 6 meeting is that the three of us mutually believe in a strong independent civilian oversight system. The CPC is an essential component of Seattle's accountability system, and I'm thankful for your client's continued advocacy. If there's anything I can do to help facilitate the furthering of a fruitful and productive relationship between the City and the CPC, please don't hesitate to reach out.

Very truly yours,



Peter S. Holmes
Seattle City Attorney

cc: Michelle Chen, Legal Counsel, Office of the Mayor